

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALROY RICHARDS,

Plaintiff,

-against-

CITY OF NEW YORK COMPTROLLER et
al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 09/09/2020

1:19-cv-10697-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On August 18, 2020, Plaintiff filed a letter expressing a desire to name as parties to this action the City of New York and the United States Attorney's Office for the Southern District of New York [ECF No. 40].

On August 26, 2020, the Court issued an Order stating that it would construe Plaintiff's Complaint as asserting claims against the City of New York and directing the Clerk of Court to add the City of New York to the caption of this action [ECF No. 42]. The Court also set deadlines for Defendants to supplement their Motion to Dismiss [ECF No. 34] and Plaintiff to respond. Defendants filed a letter dated August 31, 2020, stating that Defendants did not wish to supplement their Motion [ECF No. 44].

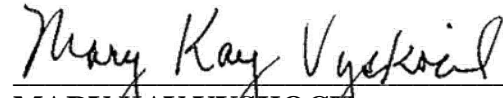
On September 8, 2020, Plaintiff filed an Amended Complaint with an Affidavit in Support [ECF Nos. 45, 47]. In light of Plaintiff's *pro se* status the Court accepts Plaintiff's Amended Complaint. *See* Fed. R. Civ. P. 15(a)(2).

Accordingly, it is **HEREBY ORDERED** that Defendants' pending Motion to Dismiss is now moot and Defendants shall respond to the Amended Complaint by filing a new motion to dismiss or an answer on or before **October 1, 2020**.

The Clerk of Court is directed to mail a copy of this order to the *pro se* Plaintiff at the address of record.

SO ORDERED.

Date: September 9, 2020
New York, NY



MARY KAY VYSKOČIL
United States District Judge